



MEMO ENDORSED

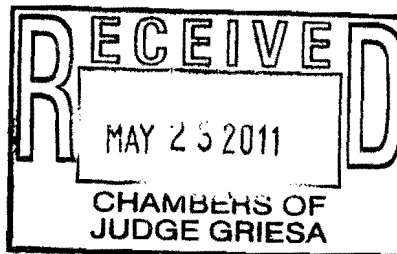
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May 20, 2011

BY HAND

Hon. Thomas P. Griesa
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007-1312



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Re: DigiProtect USA Corp. v. Does 1-266: 10 Civ. 8759 (TPG)(MHD)

Dear Judge Griesa:

On behalf of plaintiff, DigiProtect USA Corp. ("DigiProtect"), we write to request a sixty-day extension of the deadline to serve the complaint herein, filed on November 19, 2010. We made one previous request for a sixty-day extension of the deadline to serve the complaint, which the Court granted on March 22, 2011, which extended the Rule 4(m) deadline for service to today, Friday, May 20, 2011. There are, as yet, no identified adversaries.

On November 23, 2010, the Court granted permission to subpoena certain Internet service providers ("ISPs") prior to the Fed. R. Civ. P. 26(f) conference to identify the infringing downloader Doe defendants by the Internet protocol address of the computer used to infringe. Accordingly, subpoenas have been served on all eleven ISPs. By the Order of April, 13, 2011 (Dkt.21), the Court limited leave to file these subpoenas to the IP addresses that have been directly associated with New York accounts. However, we have received very few responses to the subpoenas, and have not further pursued further Doe defendants pending receipt from Time Warner of the additional ten names so-ordered by the Court and due at least in part to the pending request for leave to serve supplemental subpoenas, as stated in my letter of April 7, 2011. We therefore request an additional sixty days to effect service, ~~or such additional time as may be appropriate after the Court renders its decision on that request.~~

We appreciate Your Honor's attention to this matter.

**USDC SDNY
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Respectfully submitted,

Jonathan Moskin

cc: John D. Seiver, Esq. (by email)
Lance Koonce, Esq. (by email)
Alexander Maltas, Esq. (by email)
Britton Payne, Esq.

Approved:
Thomas P. Griesa / USDC
5/24/11

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